

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

KENNETH WAYNE MOSS,

Case No. 10-12733

Plaintiff,  
v.  
SENIOR UNITED STATES  
DISTRICT JUDGE  
ARTHUR J. TARNOW

COMMISSIONER OF SOCIAL SECURITY,

Defendants.

/

**ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND  
RECOMMENDATION [13]**

On June 30, 2011, Magistrate Judge Whalen issued a Report and Recommendation [13] that Defendant's Motion for Summary Judgment [12] should be granted and that Plaintiff's Motion for Summary Judgment [9] should be denied. No objection to the Report and Recommendation was filed.

The Court has reviewed the record in this case.

The Report and Recommendation of the Magistrate Judge is hereby **ADOPTED** and is entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Defendant's Motion for Summary Judgment [12] is **GRANTED**.

**IT IS FURTHER ORDERED** that Plaintiff's Motion for Summary Judgment [9] is **DENIED**.

**SO ORDERED.**

DATED: July 22, 2011

S/ARTHUR J. TARNOW

ARTHUR J. TARNOW

United States Senior District Judge

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 22, 2011, by electronic and/or ordinary mail.

s/Shawntel R. Jackson

Case Manager